

(1)

REBUTTAL# ~~19~~ 51

7-29-1

PETITIONERS RESPONSE TO
MOTION FOR SUMMARY JUDGEMENT

I SCOTT HESS AM GOING TO DO MY BEST TO ANSWER THIS FRAUDULENT DOCUMENT POINT BY POINT, PAGE BY PAGE, WITHOUT THE ASSISTANCE OR COUNSEL OF AN ATTORNEY, WHICH I FEEL IS A MISCARRAIGE OF JUSTICE. I HAVE HAD NO (EFFECTIVE) ATTORNEY SICE THE DAY OF MY ARREST 4/19/12.

PAGE 1: IN THE FIRST PLACE MY NAME IS NOT, WAS NOT EVER "GEOFFERY". I DONT CHALLENGE MY CONVICTION ON TEN GROUNDS. MY ORIGINAL APPLICATION TO THE STATE CONTAINED ONE GROUND WITH A SUPPLIMENTAL CITATION AND A SECOND SUPPLIMENT WITH THE ISSUES CONCERNING MY CONSTITUTIONAL RIGHTS AS A M.H.M.R. CLIENT. I THEN ASKED THE FEDERAL COURT TO CONSIDER 9 MORE GROUNDS IN THE INTEREST OF NOT HAVING A MISCARRIAGE OF JUSTICE. ~~PAGE~~

PAGE 2: GROUNDS 2-5 CONTAINED THE SAME INFORMATION AS MY SECOND

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(2)

SUPPLIMENT (OR GROUND) TO THE STATE. I MUST EXPLAIN THAT DURING THE SUMMER OF 2013, WHEN MAKING MY ORIGINAL APPLICATION TO THE STATE, I WAS GOING THRU A TIME WHEN I WAS VICTIMIZED BY MEDICAL MALPRACTICE - MY PSYCHE MEDS WERE CHANGED FOR THE WORSE AND I EXPERIENCED GREAT MENTAL TRAUMA UNTILL FINALLY I HAD TO BE HOSPITALIZED IN DECEMBER (2013). I WAS RELEASED FROM THE HOSPITAL IN FEBRUARY OF 2014 AND AM STILL WORKING WITH MY PRESENT PSYCHIATRIST TRYING TO GET THE MEDICATION "RIGHT". I'M EXPERIENCING SYPTOMS OF PHYSICAL ILLNESS FROM MY PRESENT TYPES OF MEDICINES AND I FEEL THAT IT IS ALSO A MISCARRIAGE OF JUSTICE THAT I'M LEFT TO DEFEND MYSELF AGAINST THE STATE WITHOUT COUNSEL.

I SAY THAT THE TRIAL COURT REACHED A DECISION AFTER THEY RECIEVED MY 2 SUPPLIMENTS NOT BEFORE!

I SAY THERE WAS COLLUSION BETWEEN THE TRIAL COURT JUDGE MILDALIA LOPEZ AND MAGISTRATE

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(3)

RONALD MORGAN. MORGAN HAD BEEN SIGNING ORDERS ON THE CASE AS THE PRESIDING JUDGE. (WHICH HE IS NOT) JUDGE HANEN IS THE PRESIDING JUDGE. WHEN I CONFRONTED HIM ABOUT THIS HE RESPONDED WITH A LETTER DATED MAY 2 (2014) RECLUSING HIMSELF FROM THE CASE DUE TO A "CONFLICT OF INTEREST."

I AM ENTITLED TO MY COURT RECORDS! AS PER BOUNDS V. SMITH 430 U.S. AT 822-24. THE SUPREME COURT (U.S.) MADE CLEAR THAT PRISONERS HAVE ABSOLUTE RIGHT TO "ADEQUATE EFFECTIVE AND MEANINGFUL ACCESS TO COURTS TO CHALLENGE THE LEGALITY OF THEIR CUSTODY." THE SUPREME COURT WENT ON TO HOLD AND EXPRESS IN "BOUNDS" THAT "WE REALIZE THE RIGHT TO ACCESS TO THE COURTS WOULD BE MEANINGLESS IF INDIGENT PRISONERS WERE NOT AFFORDED FREE COPIES OF THE TRIAL COURT RECORDS THEREFOR WE HOLD THAT INDIGENT PRISONERS MUST BE PROVIDED WITH FREE TRANSCRIPTS." AT 822-24

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4
THERE NEVER WAS ANY CORPUS CHRISTIE PETITION! ~~THE CHALLENGE~~

PAGE 3: IS COMPLETELY FABRICATED. (AND INTO PAGE 4) THE GROUNDS I SUBMITTED TO THE U.S. DISTRICT COURT AND THE GROUNDS I ASKED THEM TO CONSIDER FURTHER, TO AVOID A MISCARRIAGE OF JUSTICE (OF COURSE IT IS TOO LATE FOR THAT) ARE AS FOLLOWS: 1) VIOLATION OF DUE PROCESS OF LAW - INEFFECTIVE ASSISTANCE OF COUNSEL, INVOLUNTARY PLEA. 2) CRIMINAL HISTORY USED AGAINST ME (AND EVEN ARRESTS) DURING THE "PLEA BARGAIN" PHASE OF MY CASE, AND USED TO "COERSE" ME INTO MAKING A GUILTY PLEA. 3) INNEFFECTIVE ASSISTANCE OF COUNSEL. NO M.S.O. ORDERED. (MENTAL STATE OF OFFENDER EXAMS) AT MY OWN REQUEST - BEFORE THE APPOINTMENT OF MR. SUROLA AS MY DEFENSE ATTORNEY... I HAD A REDICULOUSLY BRIEF EXAM ~~BY~~ BY A STATE "PSYCHOLOGIST" - NOT A PSYCHIATRIST - MY PROBLEM IS MEDICAL - NOT PSYCHOLOGICAL.

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(5)

4) MY MENTAL CONDITION, THRU NO FAULT OF MY OWN, I WAS DENIED CARE AT MY LOCAL M.H.M.R. CLINIC IN 2011 AND IN FEB. OF 2012 I HAD A "SETBACK" (BREAKDOWN) WHICH I AM STILL RECOVERING FROM.

5) THE INDIFFERENCE OF THE COURT LEAVING ME LINGERING IN THE COUNTY JAIL FOR "OVER 90 DAYS" WITHOUT APPOINTING ME PROPER AND EFFECTIVE COUNSEL. (AND STILL)

6) FALSE AND INVALID CONFESSION. I NEVER CONFESSED TO ANY CRIME EVER! NONE OF THE ESSENTIAL ~~THE B X A X A X X B R E X T~~ ELEMENTS FOR A CRIME TO HAVE BEEN COMMITTED EXIST. MY ATTORNEY, SUROLA, TOLD ME THAT THE D.A. SOMEHOW EXTRACTED A CONFESSION WITH MY (TAPE RECORDED) BRIEF CONVERSATION WITH THE STATES PSYCHOLOGIST. AND I WAS TRICKED INTO BELIEVING THAT I WAS IN FACT GUILTY.

7) BIAS BY JUDGE, WHO GAVE ME AN EXCESSIVE SENTANCE. THEY TOLD ME THEY HAD MY CONFESSION... BY LAW LENIENCY IS SUPPOSED TO BE GIVEN. AND THE REASON I PLEAD GUILTY (AND NOT NO CONTEST) WAS TO RECEIVE A LESSER SENTANCE

8) BIAS + PREJUDICE BY D.A. LYING! MR. GILMAN, THE D.A. AT ~~THE~~ WHAT SHOULD HAVE BEEN MY TRIAL. AND ALSO LYING BY THE ASSISTANT DA THAT I FEEL CAUSED MY BOND TO BE EXCESSIVE BY STATING I HAVE A ROBBERY CONVICTION! 9) BIAS + PREJUDICE BY COURT APPOINTED ATTORNEYS. MR. GALARZA WAS MY ORIGINAL ATTORNEY APPOINTED. HE FAILED TO APPEAR ALTOGETHER. MR. SOROLA WAS APPOINTED FINALLY. BUT IT DOESN'T REFLECT THAT ON THE COURT RECORD ON EXHIBIT B' OF THE RESPONDANTS MOTION TO STAY DATED 12-12-13. WHY? BECAUSE MR. SOROLA AND ANOTHER UNAMED ATTORNEY ARE BOTH REGULARS IN JUDGE GOMEZ COURTROOM. THEY JUGGLE "STACKS" OF FILES ~~AND~~ AND DON'T FIGHT CASES FROM WHAT I SAW SEVERAL TIMES IN COURT... AND THE M.H.M.R. PATIENTS ARE NUMEROUS — AND TREATED BRUTALLY NO COMPASSION... ACCORDING TO THE RECORD I HAVE — I WAS TRANSFERRED FROM JUDGE LEAL'S COURT. WHY? IF WHAT I'M STATING IS TRUE — THEN THESE ARE, BY DEFINITION, HATE CRIMES! 9) BIAS + PREJUDICE BY POLICE — I ONLY RECENTLY UNDERSTOOD THAT I COMMITTED NO CRIME — WHY WAS

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I EVEN ARRESTED? I HAVE BEEN VICTIM TO POLICE HARRASMENT IN BROWNSVILLE FOR YEARS. FOR ONE THING I'M WHITE IN AN ALL-HISPANIC TOWN... AND THE FACT THAT MY CONTENTIOUS EX WIFE HAS A HABIT OF CALLING THE POLICE ON ME FOR NO REASON... AND I HAVE BEEN HOMELESS A FEW TIMES IN BETWEEN TRUCK DRIVING JOBS... AND, OH YES I'M M.H.M.R.!!

(11) DEFICIENT INDICTMENT. THE DEFICIENCIES TO MY INDICTMENT ARE LAID OUT, I'M TOLD, IN BOUWEIRS LAW DICTIONARY AND TUCKER'S COMMENTARIES VOL. 5. AND EX PARTE VIRGINIA. (A SUPREME COURT RULING) NONE OF THESE RESOURCES ARE AVAILABLE TO ME. (12) NO COMPETENCY HEARING - INEFFECTIVE ASSISTANCE OF COUNSEL. ~~AND~~ AND TIED TO THAT IDEA IS GROUND 13) INEFFECTIVE ASSISTANCE OF COUNSEL - CONSTITUTIONAL RIGHTS VIOLATIONS AS A DISABLED PERSON. (MENTAL PATIENT) I'VE ALWAYS BEEN CONSIDERED A BORDERLINE CASE. TECHNICALLY I TRY TO WORK WITH MY DISABILITY THE POLICE ARE

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78)

FOR TRYING MENTAL PATIENTS (WHO ARE OBVIOUSLY HAVING DIFFICULTY) IS PLAINLY LAID OUT IN AKE V. OKLAHOMA, 470 U.S. 68, 83 (1985) THERE IS SUPPOSED TO BE AN EXAM GIVEN A.S.A.P. BY THE STATE, ~~BY~~ BY A LICENSED PSYCHIATRIST AND ANOTHER BY A COURT APPOINTED PRIVATE PSYCHIATRIST (FOR INDIGENT). THESE EXAMS A VERY THOROUGH - NOTHING LIKE I HAD. THEN THESE 2 ARGUE IN A COMPETENCY HEARING REGARDING THE DEFENDANT... AND AS TO THE MENTAL STATE OF THE OFFENDER AT ARREST.

14) CRUEL AND UNUSUAL PUNISHMENT AFFECTED THIS APPEAL. AT NO TIME ARE PRISONERS IN THE COUNTY JAIL OR THE STATE FACILITIES I WAS IN ALLOWED 8 HOURS OF UNINTERRUPTED SLEEP. I HAVE A SLEEP DISORDER AS THE ROOT CAUSE OF MY PSYCHIATRIC PROBLEMS. SLEEP DEPRIVATION. AND WITH MY BAD BACK I'M GIVEN NO GOOD MATTRESS... I'M IN TERRIBLE SHAPE! AND I WAS DENIED MY PSYCHE MEDS THAT I'VE TAKEN FOR OVER 30 YEARS. AND STILL! I WAS DRIVEN IN AND OUT - A PRISON PSYCHE FACILITY (HOSPITAL). THIS IS MORE THAN EMBARRASSING, FOR THE STATE AS WELL! MISCARRIAGE OF JUSTICE!!

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(9)

I MUST ALSO POINT OUT THAT WHAT THE ATTORNEY GENERAL'S ASSISTANT LISTED AS MY GROUND '5' IS RUTHLESSLY MISLEADING. I DIDN'T GO WITHOUT SEEING AN ATTORNEY FOR 10 DAYS - IT WAS BETWEEN 3 AND 4 MONTHS! ANOTHER MISCAIRRAGE OF JUSTICE. THESE ~~REMARKS~~ GROUNDS ARE SIMPLY NOT EXHAUSTED YET.

MY PLE WAS NOT KNOWING AND VOLUNTARY. I WAS GIVEN EPRONEOUS ADVICE - I HAD NO CHANCE TO CONSULT WITH THE ATTORNEY SOROLA, HE DID NOT INQUIRE AS TO ANY DEFENSES, GAVE ME NO ~~ADVICE~~ (GOOD) ADVICE AND DID NOT ATTEMPT TO DETERMINE IF I WAS EVEN GUILTY. SEE EX PARTE' HARRIS 596 S.W. 2d 893 (TEX CRIM. APP. 1980); EX PARTE BURNS, 601 S.W. 2d 370 (TEX CRIM APP. 1980); EX PARTE MARROW CITING HILL V. LOCKHART - STRICKLAND V. WASHINGTON.

PAGE 5. HOW COULD JUDGE MIGDALIA LOPEZ ORDER A PSYCHIATRIC EVALUATION ON SEPT. 4TH 2012 WHEN THE PSYCHOLOGICAL (SUPPOSED) EXAM WAS ABOUT A MONTH EARLIER? DR. MARROW

1-24-14

(10)

TAPE RECORDED OUR LITTLE SESSION AND THE DATE WAS MENTIONED. THIS WAS ONE OF ONLY A FEW QUESTIONS ASKED OF ME - TWO OF WHICH I ANSWERED INCORRECTLY I DO BELIEVE.

THE LAW DOES NOT REQUIRE THAT THE FEDERAL WRIT APPLICATION CANNOT BE FILED WHILE WAITING FOR THE STATES DETERMINATION.

ESPECIALLY WHEN THE STATE LIES AND SAYS THEY DON'T HAVE THE (11.07) APPLICATION. SEE THE LETTER TO ME DATED 9/20/13 FROM

YVONNE CALZADA, DEPUTY DISTRICT CLERK FOR AURORA DE LA GARZA - CAMERON COUNTY DISTRICT CLERK. THE SEE THE RESPONDANTS MOTION TO STAY-EXHIBIT 'A'... WHERE SUPPOSEDLY IT WAS NEVER RECEIVED. THE FEDERAL GOVERNMENT WAS MY ONLY KNOWN OPTION TO ME AT THAT TIME!

PAGE 6:

AGAIN MY RECORDS ARE MY BUSINESS. MY SUPREME COURT RULING IS DATED, 2005. SEE PAGE '3' OF THIS AFFIDAVIT.

AND I BELIEVE A MISCHAIRANCE OF JUSTICE TRUMPS ANY DEFAULT!

(11)

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I ALSO FEEL THAT IN MY INITIAL STATE WRIT APPLICATION, I HIT THE MARK WITH MY FIRST GROUND. THE WAY IT WAS WORDED WAS ~~THE~~ "VIOLATION OF DUE PROCESS OF LAW"... THIS SHOULD COVER ATOP ALL MY ~~ISSUE~~ ISSUES RAISED IN GROUNDS 2-5, OR BASICALLY ONLY ONE FURTHER ISSUE COVERING GROUNDS 12 + 13 AS WELL. THE FACT THAT I WAS A MENTAL PATIENT AND HOW MY RIGHTS WERE GROSSLY VIOLATE IN THAT RESPECT... ~~*TAKSKEKICK*~~ "INEFFECTIVE ASSISTANCE OF COUNSEL" THIS WOULD COVER NOT ONLY THE "INVOLUNTARY PLEA"... BUT GROUNDS 3, 6, 9, 12, AND I'M WANTING TO ADD YET ANOTHER MISCAIRAGE OF JUSTICE... GROUND 15! HOW THE ATTORNEY SOROLA PROMISED TO HANDLE MY APPEAL AND DIDNT. SEE MY ORIGINAL PETITIONS (1607 + 2254) THIS WOULD AGAIN BE COVERED IN GROUND ONE! SEE... CHAPMAN V. U.S. 469 F.2d 634 (5TH CIR. 1974) (SEE ALSO - LUMKIN V. SMITH) ~~***~~ ~~(*)~~

PLEASE ALLOW ME TO CHALLENGE THE CORRECTNESS OF THE STATES FINDING OF FACT. SEE SPICE GODD V. ALABAMA 577 F.2d 1322 (5TH CIR. 1978) - HABIAS

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(12)
RELIEF GRANTED IF STATE COURTS
FACTUAL CONCLUSIONS CONTAIN
"PLAIN ERROR" AND NOT "HARMLESS
ERRORS, AS IN HARRINGTON V. CALIFORNIA.
THIS ALONE ENTITLES ME TO A REVERSAL -
AN AQUITTLE IS IN ORDER!

THE MOTION FOR SUMMERY JUDGEMENT
ITSELF STARTING ON PAGE 6 IS TOO
COMPLICATED AND I NEED AN ATTORNEY
TO ANSWER THIS. AGAIN I HAVEN'T
HAD ONE YET! (TECHNICALLY) NOT SINCE
MY ARREST! AND MIGHT I ADD THAT
I WAS NEVER GIVEN ANY CHANCE TO
MAKE ANY KIND OF A STATEMENT AT
ALL BEFORE THE INDICTMENT, BEFORE
THE UNLAWFUL CONVICTION!! THIS
IS ALSO A "MISCAIRRAGE OF JUSTICE"!

I DO NOTICE IN THE MIDDLE OF
PAGE 7 IT TALKS ABOUT THE CORRECTNESS
OF THE STATES AFFIDAVIT UNTILL I
REBUTE IT... I ASSUME THAT THIS
IS IN REFERENCE TO A SIGNED
DOCUMENT. THIS MOTION AS OF
YET BEARS NO SIGNATURE BY
ANY BODY - AND IS NOT A SWORN
AFFIDAVIT. MY REBUTTLE IS
UNDERSTANDABLY UNTIMELY - IN
MY SITUATION. FOR THIS GARBAGE
TO BE ACCEPTED AS FACT WOULD

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BE YET ANOTHER MISCAIRRAGE OF JUSTICE!

PAGE 8: → PAGE 9: AGAIN I STATE THAT THE TRIAL COURT RECIEVED MY 2ND SUPPLIMENT 2-3 DAYS AFTER IT WAS SENT ON SEPT. 12 - ACCORDING TO THE MAIL ROOM RECORD AT GARZA WEST TRANSFER FACILITY. THE WRIT AND IT'S SUPPLIMENTS ARE FILED THE DAY THEY WERE PLACED IN THE MAIL AT MY UNIT. AUG. 26 - WRIT APPLICATION 11-07. SEPT 5 - ~~2ND~~ SUPPLIMENT AND SEPT 9 - THIRD PIECE OF MAIL - SUPPLIMENT #2. THE TRIAL COURT ACKNOWLEDGED THE FIRST SUPPLEMENT - WHY NOT THE 2ND? ALLOW ME TO EXPLAIN... ACCORDING TO THIS MOTION, IT READS THAT "MIGDALIA" DENIED MY RELIEF 11 DAYS AFTER SEPT. 6TH ... SEPT 17TH. THIS MATCHES THE NOTERY STAMP BY "ROSA OCHOA". SO WHY IS THE JUDGES SIGNATURE BEARING THE DATE SEPT 13TH? IT IS BECAUSE MY 2ND (TIMELY) SUPPLIMENT WAS RECIEVED PROBABLY THE 14TH OR 15TH OF SEPT. (2013). AND THE STATE IS VERY DECEPTIVE WHEN THEY SAY THAT I SAID THE 2ND SUPPLIMENT WAS RECIEVED AFTER THE COURT DECIDED ON IT... AND NOT BEFORE!!

(14)

... GROUNDS 2-5 ARE NOT
 EXHAUSTED! PAGE 10: I SENT
 JUDGE HAMEN "MY STORY"... 18 PAGES
 OF TRUTH - IN CHRONOLOGICAL ORDER
 FROM BEING "KICKED OUT" OF MY
 M.H.M.R. CLINIC TO RUNNING OUT OF
 MEDICINE TO MY SETBACK IN FEB. OF
 2012... TO THE INCIDENT AND ARREST
 AND THRU THE COURT PROCEEDINGS.
 THIS AFFIDAVIT CLEARLY DEMONSTRATES
 MY INNOCENCE AND NOT GUILT!

AND ALSO I HAVE SHOWN JUST
 CAUSE TO FILE A SUBSEQUENT 11.07
 APPLICATION ~~IN~~ IN THIS MEMORANDUM
 AND IN MY LETTERS. I'M ENCLOSED
 MY WHOLE FILE. THIS SHOULD KEEP
 YOU CLERKS BUSY FOR A WHILE. (SORRY)

MY SITUATION IS DESCRIBED FROM
 THE BOTTOM OF PAGE 10 INTO PAGE 11.
PAGE 12: I HAVE BEEN CLAIMING
 MY ACTUAL INNOCENCE ALL ALONG IS
 MY STRUGGLE. TO SAY THAT I HAVE
 NOT IS A LIE. CHECK THE RECORDS.

PAGE 13: WOULD YOU NOT SAY THAT
 STATE IS BOTH INCORRECT AND
 OBJECTIVELY UNREASONABLE? YES!
 PAGE 13 INTO PAGE 14 IS MY
 SITUATION EXACTLY... DUE DILIGENCE?
 OF COURSE! PAGE 15: MY PLEA...

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(15) WAS INVOLUNTARY. SEE EX PARTE' KELLY: 676 S.W. 2d 132 (TX CRIM APP 1984) PAGE 17: ... THE QUESTION OF GUILT OR INNOCENCE SIMPLY CANNOT BE FULFILLED BY A POLICE REPORT ALONE - SEE ART. 11.42 "PRESUMED INNOCENCE"

I WAS IN NO CONDITION TO MAKE ANY SORT OF PLEA DURING THAT TIME. CHECK MY PSYCHE RECORDS!

PAGE 18: HERE I'M ACCUSED OF BEING A GAMBLER ??? I DON'T GAMBLE. PAGE 19: M.S.O. - THE STATE IS VERY WELL AWARE OF THE TERM FOR A MENTAL STATE OF OFFENDER EXAM BY A PSYCHIATRIST. DONT BE FOOLED. IT WAS THIS LANGUAGE THAT I USED IN MY 2ND SUPPLIMENT TO THE TRIAL COURT THAT HAD THEM ALL "WORRIED" ENOUGH TO LIE AND "FUDGE" DOCUMENTS. AND CLAIM MY 11.07 APPLICATION WAS NEVER RECIEVED. AND LADY JUDGE WILL NOT BE DEFIED! HER INFLUENCE REACHES TO CORPUS CHRISTIE - AND THE U.S.D.C. JUST DOWN THE STREET FROM THE TRIAL COURT... SEE LETTER FROM MAGISTRATE MORGAN DATED 5-22-14...

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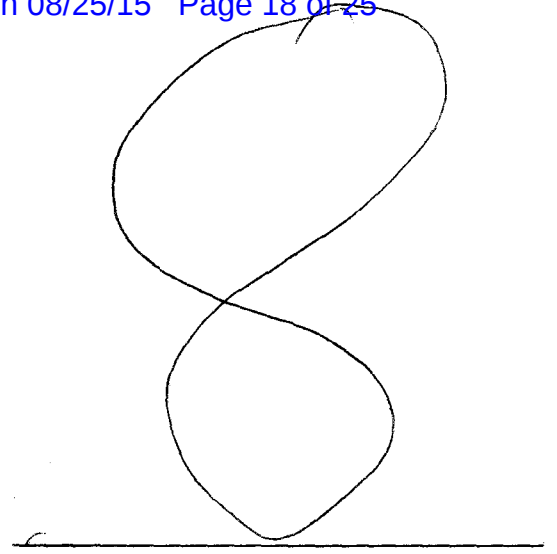
PAGE 21: I HAVE INDEED SHOWED SOROLAS INEFFECTIVENESS AS COUNSEL.

AN ARREST HISTORY IS NOT A CRIMINAL HISTORY. I STRESSED VERY CLEARLY THAT THIS WAS USED IN THE PLEA BARGAIN PHASE TO "TRICK" ME INTO MAKING A GUILTY PLEA. THIS AND THE ALLEGED CONFESSION WHICH WAS NO CONFESSION AT ALL. SEE MIRANDA V. ARIZONA. ALSO SEE U.S. V. ALDRICH. 169 F.3d 526 (1999) — "EVIDENCE OF PRIOR CRIMES IS PREJUDICIAL — MAY NOT BE USED. THIS IS STRUCTURAL ERROR 'REQUIRING' AUTOMATIC REVERSAL."

IT STATES CLEARLY THAT THE STATE HAS NO RECORD OF PSYCHIATRIC FINDINGS — HA! I WONDER WHY!!

PAGE 22: THE DIRECTOR (T.D.C.J.) IS NOT, DEFINATELY NOT ENTITLED TO A SUMMERY JUDGEMENT AS A MATTER OF LAW. IN FACT, I RESTATE, THAT AN ACQUITTAL IS IN ORDER. THE STATE CANNOT TRY ME AGAIN — I MUST BE SET FREE.

I SWEAR THAT THE FORGOING IS TRUE AND CORRECT AS AN INMATE BEING HELD AT MICHAEL UNIT IN ANDERSON COUNTY ~~JUST~~ WHEN
7-30-14

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line extending to the right from the bottom of the loop.

PAGE 1 OF 2

4-24-14

TO: MAGISTRATE JUDGE RONALD MORGAN
U.S. DISTRICT COURT-BROWNSVILLE, TX.
FROM: SCOTT HESS. INMATE # 1841004
~~AND~~ GARZA WEST UNIT-BEEVILLE, TX.
RE: QUESTION OF WHO IS THE
PRESIDING JUDGE IN MY
CASE # 1:13-190 AND CASE # 1:14-15

YOUR HONOR,

ACCORDING TO THE NOTICE OF CASE FILING
DATED 10/11/13, ~~FOR~~ MY PRESIDING
JUDGE IS HON. JUDGE HANEN, AND
YOU ARE LISTED AS THE MAGISTRATE.
~~YET~~ AND ON 10/16 YOU SIGNED AN
ORDER AS THE MAGISTRATE. UNDER YOUR
SIGNATURE IT STATES - "MAGISTRATE".

YET ON 12/12/13 YOU SIGNED AN
ORDER AS THE PRESIDING JUDGE.
IT SAYS UNDER YOUR NAME, YOUR
SIGNATURE "PRESIDING JUDGE"
~~FOR (CASE # 1:13-190 AND CASE # 1:14-15)~~ (SH)
LIKEWISE ON 2/5/14 AND 3/6/14...
2 MORE ORDERS.

OR... IS JUDGE TALE NOW MY
PRESIDING JUDGE AS PER THE CONSOLIDATION
DATED 12/19/13 IN A 2ND CASE FILING.
FOR 1:14-15 AS WELL? SEE PP2 →

4-24-14

JUDGE TABLE THEN SIGNED THOSE CONSOLIDATED CASES INTO LAW IN AN ORDER DATED 3/21/14. HERE IT INDICATES UNDER HER SIGNATURE THAT SHE IS "SENIOR" PRESIDING JUDGE, YET IN HER ORDER SHE STATES THAT THE "LEAD CASE" IS # 1:13-190. THIS IS AMBIGUOUS. DOES THIS MEAN THAT JUDGE HANEN IS NOW THE PRESIDING JUDGE IN MY 2 CASES? OR IS THE ONE TO JUDGE MY CASE(S) GOING TO BE JUDGE TABLE? OR WERE YOU PROMOTED TO PRESIDING JUDGE AND APPOINTED TO MY FIRST CASE BETWEEN 10/11/13 AND 10/12/13? I WAS NEVER NOTIFIED OF THIS.

I NEVER SIGNED ~~THE~~ FOR PERMISSION TO PROCEED WITH A MAGISTRATE!!

I SCOTT W. HESS - TDCS # 1841004, BEING PRESENTLY ENCARCERATED IN GARZA WEST UNIT, IN BEE COUNTY, TEXAS, DECLARE THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON

SH ~~THE 24TH~~ 24TH DAY OF APRIL 2014.
SCOTT W. HESS

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4-18-14

TO: HON. JUDGE HILDA TABLE
FROM: SCOTT HESS - T.D.C.T. # 1841004

RE: ATTORNEY GENERALS BRIEF I

RECIEVED LAST WEEK, WITH MOTION
FOR SUMMERY JUDGEMENT (COURTESY COPY,

YOUR HONOR,

LAST WEEK I RECIEVED THIS OVERWHELMING
DOCUMENT - IT HAS TAKEN ME THIS LONG TO
READ IT.

THE DOCUMENT HAS MUCH FALSE INFORMATION
AS A THOROUGH INVESTIGATION OF EXISTING
RECORDS WILL PROVE. OVER ALL THIS IS A
"FALSIFIED DOCUMENT". FOR YOU TO SIGN AND
ATTEST TO THIS MISLEADING AND PREJUDICIAL
DOCUMENT WOULD BE MORE THAN A GREAT
INTJUSTICE - IT WOULD BE A CRIME.

I WISH TO REFUTE THIS DOCUMENT - POINT BY
POINT, PAGE BY PAGE, TO SHOW NOT ONLY
THE INACCURACY OF THE DOCUMENT AS A
WHOLE... BUT TO DEMONSTRATE THE LOW
MORAL CHARACTER AND BIAS OF THE STATES
ATTORNEY GENERALS OFFICE, THE DISTRICT
ATTORNEY'S OFFICE AND THE 197TH DISTRICT
COURT. THIS IS NOT THE ONLY FALSIFIED
DOCUMENT I'VE RECIEVED FROM THE STATE.

PAGE 2 OF 2

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ALSO, YOUR HONOR, I SENT A MOTION FOR A BENCH WARRANT AND REQUEST FOR AN APPOINTED ATTORNEY (AS I AM AN INDIGENT) ON MARCH 3RD, SO I CAN STATE MY CASE... DID YOU HAVE A CHANCE TO SEE MY LETTER?

I, SCOTT W. HESS - T.D.C.J. #1841004, BEING PRESENTLY ENCARCERATED IN GARZA WEST, IN BEE COUNTY, TEXAS, DECLARE UNDER PENALTY OF FORGERY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON THE 18TH DAY OF APRIL, 2014

SCOTT W. HESS

(X) SEE 2 ENCLOSED COPIES OF LETTERS TO
JUDGE TALLE AND JUDGE MORGAN.

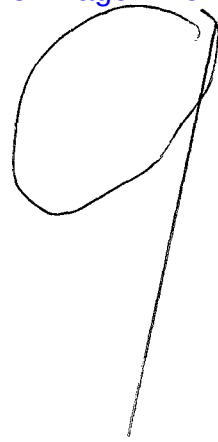
TO: HON. JUDGE ANDREW HANEN 4-24-14
FROM: SCOTT W. HESS #1841004, GARZA UNIT (WEST)
BEEVILLE, TX.

RE: QUESTION OF WHO IS MY PRESIDING
JUDGE IN CASE(S) 1:13-190; 1-14-15
YOUR HONOR,

ARE YOU STILL THE PRESIDING JUDGE
IN MY CASE 1:13-190? IT APPEARS THAT
JUDGE TALLE COULD BE THE ONE TO
DECIDE MY CASE(S)... ACCORDING TO
A 2ND FILING, DATED 12/19/13... AND
AS PER HER ORDER SIGNED BY HER
ON 3/21/14.

OR IS MAGISTRATE JUDGE MORGAN
NOW A "PRESIDING JUDGE"-AND IN
CHARGE OF MY CASE(S)? WAS HE
PROMOTED? DID YOU RETIRE?

JUDGE, BE VERY CAREFUL IF + WHEN
YOU SIGN A SUMMARY JUDGEMENT IN MY
CASE. LOOK AT THE ACCOMPANYING BRIEF
DATED 4/4/14 FROM THE STATE AND REVIEW
ALL RECORDS IN THIS CASE TO SEE THAT
THE STATE IS CORRUPT AND BIASED. HOW
DOES MY FEDERAL GOVERNMENT WANT ME TO
PROCEED? - SEE THE 3 MOTIONS I'M
FILING IN YOUR COURT. 1) MOTION OF
DISCOVERY, 2) MOTION TO STAY AND 3) MOTION
FOR A HEARING. THANK YOU. SCOTT W. HESS,

A handwritten mark, possibly a signature or initials, consisting of a large, loopy 'P' or '9' shape with a long vertical line extending downwards from its right side.

#35

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

SCOTT WILLIAM HESS,
Petitioner,

v.

WILLIAM STEPHENS,
Respondent.

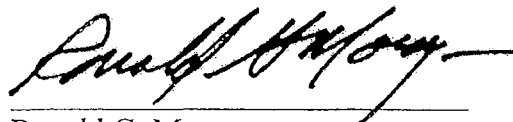
§
§
§
§
§
§
§

Civil Action No. 1:13-190

ORDER

After reviewing the record, the undersigned has a conflict of interest in this case. The Court **HEREBY** orders himself recused from this matter and orders that the case be returned to the Hon. Andrew S. Hanen for all future proceedings.

DONE at Brownsville, Texas, on May 2, 2014.



Ronald G. Morgan
United States Magistrate Judge